



3 0 APR 2007

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

CHRISTIE, PARKER & HALE, LLP
PO BOX 7068
PASADENA CA 91109-7068

In re Application of	:	
ABOUKRAT	:	
Application No.: 10/551,369	:	NOTIFICATION
PCT No.: PCT/FR2004/000798	:	
Int. Filing Date: 30 March 2004	:	
Priority Date: 31 March 2003	:	
Attorney Docket No.: 55930/DBP/N75	:	
For: COMPUTER DEVICE FOR MANAGING	:	
DOCUMENTS IN MULTI-USER MODE	:	

This notification is in response to applicant's submission filed 23 March 2007.

BACKGROUND

On 30 March 2004, applicants filed international application PCT/FR2004/000798, which designated the United States and claimed a priority date of 31 March 2003. A copy of the international application was communicated from the International Bureau to the USPTO on 21 October 2004. The thirty-month period for paying the basic national fee in the United States expired at midnight on 30 September 2005.

On 28 September 2005, applicants filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee, an unexecuted declaration of inventors, and the surcharge under 37 CFR 1.492(h) for filing any of the search fee, the examination fee, or the oath or declaration after the date of the commencement of the national stage.

On 28 September 2006, the United States Designated/Elected Office (DO/EO/US) mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating, *inter alia*, that an executed oath or declaration in compliance with 37 CFR 1.497(a)-(b) was required.

On 23 March 2007, applicants filed a petition under 37 CFR 1.47(a) which was accompanied by, *inter alia*, a petition/fee for a four month extension of time, and a declaration of inventors.

DISCUSSION

37 CFR 1.41(a)(4) states:

The inventorship of an international application entering the national stage under 35 U.S.C. 371 is that inventorship set forth in the international application, which includes any change effected under PCT Rule 92bis. See § 1.497(d) and (f) for filing an oath or declaration naming an inventive entity different from the inventive entity named in the international application, or if a change to the inventive entity has been effected under PCT Rule 92bis subsequent to the execution of any declaration filed under PCT Rule 4.17(iv) (§ 1.48(f)(1) does not apply to an international application entering the national stage under 35 U.S.C. 371).

The declaration filed 23 March 2007 does not list the inventorship set forth in the international application. The declaration identifies four inventors while the international application identifies only one inventor. A Form PCT/IB/306 (NOTIFICATION OF THE RECORDING OF A CHANGE) from the International Bureau indicating that an inventor has been added does not appear in the file for any of the three additional inventors. Accordingly, the inventorship in the national stage is the inventorship set forth in the international application and the declaration filed 23 March 2007 is not sufficient.

CONCLUSION

A decision on the petition under 37 CFR 1.47(a) is held in abeyance until the issue mentioned above is resolved.

Applicants are required to file a declaration in compliance with 37 CFR 1.497(a)-(b) naming the proper inventive entity, or a proper change of inventorship under 37 CFR 1.497(d), or a Form PCT/IB/306 indicating a change effected under PCT Rule 92^{bis} corresponding to the declaration filed 23 March 2007, within TWO (2) MONTHS from the date of mailing of this decision. Extensions of time may be obtained under 37 CFR 1.136(a). Failure to timely file a proper reply will result in abandonment of the application.

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



Daniel Stemmer

Legal Examiner

PCT Legal Affairs

Office of Patent Cooperation Treaty

Legal Administration

Telephone: (571) 272-3301

Facsimile: (571) 273-0459